

1 Sean Eskovitz (SBN 241877)  
2 WILKINSON WALSH + ESKOVITZ LLP  
3 11726 San Vicente Blvd., Ste. 600  
4 Los Angeles, CA 90049  
5 Telephone: (424) 316-4000  
6 Facsimile: (202) 847-4005  
7 *seskovitz@wilkinsonwalsh.com*

8 Beth A. Wilkinson (*pro hac vice*)  
9 Alexandra M. Walsh (*pro hac vice*)  
10 Brian L. Stekloff (*pro hac vice*)  
11 Rakesh N. Kilaru (*pro hac vice*)  
12 WILKINSON WALSH + ESKOVITZ LLP  
13 2001 M Street NW, 10th Floor  
14 Washington, DC 20036  
15 Telephone: (202) 847-4000  
16 Facsimile: (202) 847-4005  
17 *bwilkinson@wilkinsonwalsh.com*  
18 *awalsh@wilkinsonwalsh.com*  
19 *bstekloff@wilkinsonwalsh.com*  
20 *rkilaru@wilkinsonwalsh.com*

21 Jeffrey A. Mishkin (*pro hac vice*)  
22 Karen Hoffman Lent (*pro hac vice*)  
23 SKADDEN ARPS SLATE MEAGHER &  
24 FLOM LLP  
25 Four Times Square  
26 New York, NY 10036  
27 Telephone: (212) 735-3000  
28 Facsimile (212) 735-2000  
*jeffrey.mishkin@skadden.com*  
*karen.lent@skadden.com*  
*Counsel for Defendant NCAA*  
[Additional counsel listed on signature page]

Steve W. Berman (*pro hac vice*)  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1918 Eighth Avenue, Suite 3300  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
*steve@hbsslaw.com*

Bruce L. Simon (SBN 96241)  
PEARSON, SIMON & WARSHAW, LLP  
44 Montgomery Street, Suite 2450  
San Francisco, CA 94104  
Telephone: (415) 433-9000  
Facsimile: (415) 433-9008  
*bsimon@pswlaw.com*

Jeffrey L. Kessler (*pro hac vice*)  
David G. Feher (*pro hac vice*)  
David L. Greenspan (*pro hac vice*)  
WINSTON & STRAWN LLP  
200 Park Avenue  
New York, NY 10166-4193  
Telephone: (212) 294-6700  
Facsimile: (212) 294-4700  
*jkessler@winston.com*  
*dfeher@winston.com*  
*dgreenspan@winston.com*

*Class Counsel for Jenkins and Consolidated  
Action Plaintiffs*  
[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

23 IN RE NATIONAL COLLEGIATE  
24 ATHLETIC ASSOCIATION ATHLETIC  
25 GRANT-IN-AID CAP ANTITRUST  
LITIGATION

Case No. 4:14-md-02541-CW

**STIPULATION AND [PROPOSED] ORDER  
FOR PRETRIAL PROCEEDINGS**

26 THIS DOCUMENT RELATES TO: ALL  
27 ACTIONS EXCEPT *Jenkins v. Nat'l  
28 Collegiate Athletic Ass'n*, Case No. 14-cv-  
02758-CW

1 Pursuant to the Minute order entered in the above-referenced actions on May 22, 2018 (ECF No.  
2 829), counsel for all parties submit the following stipulation setting forth an agreed schedule for the  
3 exchange and submission of pretrial documents.

4 **1. Witness Lists and Testimony by Designation**

5     ○ June 6, 2018: Plaintiffs will identify for Defendants the witnesses whom Plaintiffs  
6         plan to present live or by designated deposition testimony.  
7     ○ June 12, 2018: Defendants will identify for Plaintiffs the witnesses whom  
8         Defendants plan to present live or by designated deposition testimony.  
9     ○ July 13, 2018: Plaintiffs and Defendants will file their witness lists, including  
10         paragraph summaries.

11 **2. Designation of Deposition Transcripts and Other Discovery**

12     ○ June 19, 2018: Plaintiffs will provide Defendants their affirmative discovery  
13         designations (*i.e.*, deposition testimony and written discovery responses).  
14     ○ June 26, 2018: Defendants will provide Plaintiffs their affirmative discovery  
15         designations and objections to and counter-designations to Plaintiffs' affirmative  
16         designations.  
17     ○ July 10, 2018: Plaintiffs will provide Defendants their objections to and counter-  
18         designations to Defendants' affirmative designations.  
19     ○ July 13, 2018: Defendants will provide Plaintiffs their objections to Plaintiffs'  
20         counter-designations.  
21     ○ July 13, 2018: Plaintiffs and Defendants will file their discovery designations,  
22         counter-designations, and objections to designations.  
23     ○ Counsel for Plaintiffs and Defendants will collaborate throughout the foregoing  
24         process on logistics for the uniform submission of designations and objections,  
25         including color coding to aid the Court in reviewing designations and objections

26 **3. Exhibit Lists**

27     ○ June 26, 2018: Plaintiffs and Defendants will make an initial exchange of exhibits.

- 1       ○ June 29, 2018: Plaintiffs and Defendants will complete the exchange of their
- 2                  respective exhibits.
- 3       ○ July 13, 2018: Plaintiffs and Defendants will file their exhibit lists.
- 4       ○ Counsel for Plaintiffs and Defendants will collaborate throughout the foregoing
- 5                  process on logistics for the uniform submission of exhibit lists, including the
- 6                  elimination of duplicative exhibits, exhibit numbering, and a uniform system for
- 7                  identifying sponsoring witnesses and unresolved objections to exhibits.

8       **4. Demonstratives**

- 9       ○ July 13, 2018: Plaintiffs and Defendants will exchange demonstrative exhibits.
- 10      ○ July 16, 2018: Plaintiffs and Defendants will submit demonstratives to the Court,
- 11                  noting which are objected to.
- 12      ○ Plaintiffs and Defendants agree they will continue thereafter to confer on whether any
- 13                  additional demonstratives are needed and appropriate, and to determine whether they
- 14                  can be agreed upon.

15      **5. Motions in Limine**

- 16      ○ July 2, 2018: Plaintiffs and Defendants will file their respective motions in limine.
- 17      ○ July 12, 2018: Plaintiffs and Defendants will file their respective oppositions to
- 18                  motions in limine.

19      **6. Opening Statements**

- 20      ○ July 6, 2018: Plaintiffs will file their Opening Statement.
- 21      ○ July 17, 2018: Defendants will file their Opening Statement.

22      **7. Expert Declarations**

- 23      ○ July 3, 2018: Plaintiffs will file their experts declarations (direct testimony) on
- 24                  subjects remaining for trial.
- 25      ○ July 11, 2018: Defendants will file their experts declarations (direct testimony) on
- 26                  subjects remaining for trial and opposition to Plaintiffs' declarations.

- July 17, 2018: Plaintiffs will file any opposition expert declarations (direct testimony) on pro-competitive justification testimony contained in the declarations by Defendants' experts.

Dated: May 31, 2018

Respectfully submitted,

By /s/ Steve W. Berman

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Steve W. Berman (*pro hac vice*)  
Craig Spiegel (SBN122000)  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
1918 Eighth Avenue, Suite 3300  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
*steve@hbsslaw.com*  
*craigs@hbsslaw.com*

Jeff D. Friedman (SBN 173886)  
HAGENS BERMAN SOBOL SHAPIRO  
LLP  
715 Hearst Avenue, Suite 202  
Berkeley, CA 94710  
Telephone: (510) 725-3000  
Facsimile: (510) 725-3001  
*jefff@hbsslaw.com*

By /s/ Jeffrey L. Kessler  
Jeffrey L. Kessler (*pro hac vice*)  
David G. Feher (*pro hac vice*)  
David L. Greenspan (*pro hac vice*)  
Jennifer M. Stewart (*pro hac vice*)  
Joseph A. Litman (*pro hac vice*)  
WINSTON & STRAWN LLP  
200 Park Avenue  
New York, NY 10166-4193  
Telephone: (212) 294-6700  
Facsimile: (212) 294-4700  
*jkessler@winston.com*  
*dfeher@winston.com*  
*dggreenspan@winston.com*  
*jstewart@winston.com*  
*jlitman@winston.com*

Sean D. Meenan (SBN 260466)  
Jeanifer E. Parsigian (SBN 289001)  
WINSTON & STRAWN LLP  
101 California Street  
San Francisco, CA 94111  
Telephone: (415) 591-1000  
Facsimile: (415) 591-1400  
*smeenan@winston.com*  
*jparsigian@winston.com*

*Class Counsel for Jenkins and Consolidated Action Plaintiffs*

By /s/ Elizabeth C. Pritzker  
Elizabeth C. Pritzker (SBN 146267)  
Jonathan K. Levine (SBN 220289)  
Bethany L. Caracuzzo (SBN 190687)  
PRITZKER LEVINE LLP  
180 Grand Avenue, Suite 1390  
Oakland, California 94612  
Telephone: (415) 692-0772  
Facsimile: (415) 366-6110

### *Additional Class Counsel*

1 By: /s/ Beth A. Wilkinson  
2 Beth A. Wilkinson (*pro hac vice*)  
3 Alexandra M Walsh (*pro hac vice*)  
4 Brian L. Stekloff (*pro hac vice*)  
5 Rakesh N. Kilaru (*pro hac vice*)  
6 WILKINSON WALSH + ESKOVITZ LLP  
7 2001 M Street NW, 10th Floor  
8 Washington, DC 20036  
9 Telephone: (202) 847-4000  
10 Facsimile: (202) 847-4005  
11 *bwilkinson@wilkinsonwalsh.com*  
12 *awalsh@wilkinsonwalsh.com*  
13 *bstekloff@wilkinsonwalsh.com*  
14 *rkilaru@wilkinsonwalsh.com*  
15  
16 Sean Eskovitz (SBN 241877)  
17 WILKINSON WALSH + ESKOVITZ LLP  
18 11726 San Vicente Blvd., Suite 600  
19 Los Angeles, CA 90049  
20 Telephone: (424) 316-4000  
21 Facsimile: (202) 847-4005  
22 *seskovitz@wilkinsonwalsh.com*

23 *Attorneys for Defendant National Collegiate*  
24 *Athletic Association*

25 By: /s/ Bart H. Williams  
26 Bart H. Williams (SBN 134009)  
27 Scott P. Cooper (SBN 96905)  
28 Kyle A. Casazza (SBN 254061)  
Shawn S. Ledingham, Jr. (SBN 275268)  
Jacquelyn N. Crawley (SBN 287798)  
PROSKAUER ROSE LLP  
2049 Century Park East, Suite 3200  
Los Angeles, CA 90067  
Telephone: (310) 557-2900  
Facsimile: (310) 557-2193  
*bwilliams@proskauer.com*  
*scooper@proskauer.com*  
*kcasazza@proskauer.com*  
*jljones@proskauer.com*  
*sledingham@proskauer.com*  
*jcrawley@proskauer.com*

29 *Attorneys for Defendant*  
30 *Pac-12 Conference*

31 By: /s/ Jeffrey A. Mishkin  
32 Jeffrey A. Mishkin (*pro hac vice*)  
33 Karen Hoffman Lent (*pro hac vice*)  
34 SKADDEN ARPS SLATE MEAGHER  
35 & FLOM LLP  
36 Four Times Square  
37 New York, NY 10036  
38 Telephone: (212) 735-3000  
39 Facsimile (212) 735-2000  
40 *jeffrey.mishkin@skadden.com*  
41 *karen.lent@skadden.com*  
42  
43 Raoul D. Kennedy (SBN 40892)  
44 SKADDEN ARPS SLATE MEAGHER  
45 & FLOM LLP  
46 525 University Avenue, Suite 1100  
47 Palo Alto, California 94301  
48 Telephone: (650) 470-4500  
49 Facsimile: (650) 470-4570  
50 *raoul.kennedy@skadden.com*

51 *Attorneys for Defendant National*  
52 *Collegiate Athletic Association and*  
53 *Western Athletic Conference*

54 By: /s/ Britt M. Miller  
55 Andrew S. Rosenman (SBN 253764)  
56 Britt M. Miller (*pro hac vice*)  
57 MAYER BROWN LLP  
58 71 South Wacker Drive  
59 Chicago, IL 60606  
60 Telephone: (312) 782-0600  
61 Facsimile: (312) 701-7711  
62 *arosenman@mayerbrown.com*  
63 *bmiller@mayerbrown.com*

64 Richard J. Favretto (*pro hac vice*)  
65 MAYER BROWN LLP  
66 1999 K Street, N.W.  
67 Washington, DC 20006  
68 Telephone: (202) 263-3000  
69 Facsimile: (202) 263-3300  
70 *rfavretto@mayerbrown.com*

71 *Attorneys for Defendant*  
72 *The Big Ten Conference, Inc.*

1 By: /s/ Leane K. Capps  
2 Leane K. Capps (*pro hac vice*)  
3 Caitlin J. Morgan (*pro hac vice*)  
4 POLSINELLI PC  
5 2950 N. Harwood Street  
6 Suite 2100  
7 Dallas, TX 75201  
8 Telephone: (214) 397-0030  
9 lcapps@polsinelli.com  
10 cmorgan@polsinelli.com

Amy D. Fitts (*pro hac vice*)  
Mit Winter (SBN 238515)  
POLSINELLI PC  
120 W. 12th Street  
Kansas City, MO 64105  
Telephone: (816) 218-1255  
afitts@polsinelli.com  
mwinter@polsinelli.com

11 Wesley D. Hurst (SBN 127564)  
12 POLSINELLI PC  
13 2049 Century Park East, Suite 2300  
14 Los Angeles, CA 90067  
Telephone: (310) 556-1801  
whurst@polsinelli.com

15 *Attorneys for Defendants*  
16 *The Big 12 Conference, Inc. and*  
17 *Conference USA, Inc.*

18 By: /s/ Robert W. Fuller  
19 Robert W. Fuller, III (*pro hac vice*)  
20 Nathan C. Chase Jr. (SBN 247526)  
21 Lawrence C. Moore, III (*pro hac vice*)  
22 Pearlynn G. Houck (*pro hac vice*)  
23 Amanda R. Pickens (*pro hac vice*)  
24 ROBINSON BRADSHAW & HINSON  
25 101 N. Tryon St., Suite 1900  
26 Charlotte, NC 28246  
27 Telephone: (704) 377-2536  
28 Facsimile: (704) 378-4000  
rfuller@rbh.com  
nchase@rbh.com  
lmoore@rbh.com  
phouck@rbh.com  
apickens@rbh.com

Mark J. Seifert (SBN 217054)  
SEIFERT LAW FIRM  
425 Market Street, Suite 2200  
San Francisco, CA 94105  
Telephone: (415) 999-0901  
Facsimile: (415) 901-1123  
mseifert@seifertfirm.com

*Attorneys for Defendant*  
*Southeastern Conference*

1 By: /s/ D. Erik Albright  
2 D. Erik Albright (*pro hac vice*)  
3 Gregory G. Holland (*pro hac vice*)  
4 SMITH MOORE LEATHERWOOD LLP 300  
5 North Greene Street, Suite 1400  
6 Greensboro, NC 27401  
7 Telephone: (336) 378-5368  
8 Facsimile: (336) 433-7402  
9 erik.albright@smithmoorelaw.com  
greg.holland@smithmoorelaw.com

10 Jonathan P. Heyl (*pro hac vice*)  
11 SMITH MOORE LEATHERWOOD LLP 101  
12 N. Tryon Street, Suite 1300  
13 Charlotte, NC 28246  
14 Telephone: (704) 384-2625  
15 Facsimile: (704) 384-2909  
16 jon.heyl@smithmoorelaw.com

17 Charles LaGrange Coleman, III (SBN 65496)  
18 HOLLAND & KNIGHT LLP  
19 50 California Street, Suite 2800  
20 San Francisco, CA 94111-4624  
21 Telephone: (415) 743-6900  
22 Facsimile: (415) 743-6910  
23 ccoleman@hklaw.com

24 *Attorneys for Defendant  
the Atlantic Coast Conference*

25 By: /s/ R. Todd Hunt  
26 R. Todd Hunt (*pro hac vice*)  
27 Benjamin G. Chojnacki (*pro hac vice*)  
28 WALTER HAVERFIELD LLP  
The Tower at Erieview  
1301 E. 9th Street, Suite 3500  
Cleveland, OH 44114-1821  
Telephone: (216) 928-2935  
Facsimile: (216) 916-2372  
rthunt@walterhav.com  
bchojnacki@walterhav.com

29 *Attorneys for Defendant  
Mid-American Conference*

30 By: /s/ Benjamin C. Block  
31 Benjamin C. Block (*pro hac vice*)  
32 COVINGTON & BURLING LLP  
33 One CityCenter  
34 850 Tenth Street, N.W.  
35 Washington, DC 20001-4956  
36 Telephone: (202) 662-5205  
37 Facsimile: (202) 778-5205  
38 bblock@cov.com

39 Rebecca A. Jacobs (SBN 294430)  
40 COVINGTON & BURLING LLP  
41 One Front Street  
42 San Francisco, CA 94111-5356  
43 Telephone: (415) 591-6000  
44 Facsimile: (415) 591-6091  
45 rjacobs@cov.com

46 *Attorneys for Defendant  
American Athletic Conference*

47 By: /s/ Meryl Macklin  
48 Meryl Macklin (SBN 115053)  
49 BRYAN CAVE LLP  
50 560 Mission Street, 25th Floor  
51 San Francisco, CA 94105  
52 Telephone: (415) 268-1981  
53 Facsimile: (415) 430-4381  
54 meryl.macklin@bryancave.com

55 Richard Young (*pro hac vice*)  
56 Brent Rychener (*pro hac vice*)  
57 BRYAN CAVE LLP  
58 90 South Cascade Avenue, Suite 1300  
59 Colorado Springs, CO 80903  
60 Telephone: (719) 473-3800  
61 Facsimile: (719) 633-1518  
62 richard.young@bryancave.com  
63 brent.rychener@bryancave.com

64 *Attorneys for Defendant  
Mountain West Conference*

1 By: /s/ Mark A. Cunningham  
2 Mark A. Cunningham (*pro hac vice*)  
3 JONES WALKER LLP  
4 201 St. Charles Avenue  
5 New Orleans, LA 70170-5100  
6 Telephone: (504) 582-8536  
7 Facsimile: (504) 589-8536  
8 mcunningham@joneswalker.com

9  
10 *Attorneys for Defendant*  
11 *Sun Belt Conference*

12 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

13 Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the  
14 filing of this document has been obtained from the signatories above.

15 \_\_\_\_\_  
16 /s/ Bart H. Williams  
17 Bart H. Williams

18 **[PROPOSED] ORDER**

19 **PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS SO  
20 ORDERED.**

21 Dated: \_\_\_\_\_

22 The Honorable Claudia Wilken  
23 United States District Court Judge